

Record of officer decision

Decision title:	Enter into a Deed of Covenant and Release of overage covenant on land at Newton Farm, Westbrook
Date of decision:	7 th August 2024
Decision maker:	Senior Estate Manager
Authority for delegated decision:	The Economy and Place Directorate's scheme of delegation dated 23 December 2021, updated May 2024 (line 34) gives the Senior Estate Manager the authority to take the decision
Ward:	Golden Valley South
Consultation:	None
Decision made:	To enter into a Deed of Covenant and release the overage covenant, in part, on land at Newton farm, Westbrook, Herefordshire
Reasons for decision:	<p>The land formed part of the smallholdings disposal in 2017, in accordance with the cabinet decision dated 13th October 2016, a blanket overage provision was imposed on farm buildings and other land in regards to any future change of use.</p> <p>The owner has obtained planning permission for change of use on areas under the overage provision. The councils appointed agents Atcham's have negotiated and agreed, based on the terms of the overage deed, a value of £39,000 to partially lift and vary the terms of the agreement.</p> <p>As the land has been sold on since 2017, the new buyers are obligated to enter into a deed of covenant binding them to the provisions in the overage deed.</p>
Highlight any associated risks/finance/legal/equality considerations:	The council's legal team are handling the appropriate paperwork required.
Details of any alternative options considered and rejected:	No suitable alternatives were proposed
Details of any declarations of interest made:	None

Signed..... Date: 15th August 2024

Helen Beale
Senior Estate Manager